

OK TO ENTER: /JW/

Attorney Docket No. 0756-7275

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Confirmation No.: 5721
Hidekazu MIYAIRI et al.) Examiner: Jeffrey R. West
Serial No. 10/808,499) Group Art Unit: 2857
Filed: March 25, 2004)
For: METHOD FOR TESTING)
SEMICONDUCTOR FILM,)
SEMICONDUCTOR DEVICE AND)
MANUFACTURING METHOD)
THEREOF)

AFTER FINAL RESPONSE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Official Action mailed January 28, 2010, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant appreciates Examiner West's time in conducting a personal interview on March 18, 2010. As described in more detail below, during the interview the Applicant's representative explained that the claims of the present invention are directed to photographing of scattered light, which is distinct from the film quality inspecting method of Tsumura, which relies instead on a measuring beam. The Examiner agreed to consider the Applicant's remarks following the submission of this *Response*.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on April 16, 2007; and June 14, 2007.